

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

In the Matter of the)
Wireline Competition Bureau) WC Docket No. 16-351
Network Change Notification filed by Verizon)
Maryland, LLC. Under Rule 51.332)
in connection)
with the Retirement of Copper Network Facilities)
in Maryland)

EMERGENCY PETITION/REQUEST OF JOYCE RECHTSCHAFFEN
TO IMMEDIATELY SUSPEND VERIZON'S NOTICES
TERMINATING (RETIRING)THE COPPER WIRE TELEPHONE SERVICE TO
HER RESIDENCE IN THE BETHESDA, MD AREA

This requests the Federal Communications Commission immediately suspend Verizon's notices terminating copper wire telephone service to my residence in the Bethesda, MD area, and enjoin Verizon from terminating my copper wire phone service in Bethesda, MD area.

FACTUAL STATEMENT

The basic facts are straight forward. I (with my husband) am a residential/ retail customer of Verizon. For over 21 years we have had continuous telephone (voice) service provided by Verizon or its direct corporate predecessors in interest, and continue to have that service at our house just south of Bethesda, MD. That service utilizes copper telephone lines. That service also supports a security alarm and there is a fax machine.

On September 15, 2016, Verizon transmitted to the FCC a purported Public Notice of Copper Retirement under rule 51.332. See Exhibit 4 to Opposition Comments of the Maryland Office of People's Counsel to the Copper Retirement Notices Sent by Verizon Maryland, LLC to

Maryland Retail Customers Under Rule 51.332 and Request for Immediate Suspension of Those Notices Pending an Investigation, filed in FCC docket WC-16-351 (October 28, 2016) (<https://ecfsapi.fcc.gov/file/1028472011392/10282016%20-%20Opposition%20Comments%20FCC%20FINAL%20FCC.pdf>)(hereinafter those comments are referred to as “Maryland People’s Counsel Opposition Comments”).

On the same day that it sent that purported notice to the FCC - September 15, 2016 - Verizon mailed Joyce Rechtschaffen a letter with “NOTICE OF COPPER RETIREMENT” in large letters across the top. Verizon’s letter stated in part: “our plan is to retire copper facilities in your area on or after **September 15, 2017**. To continue to provide you service, Verizon will have to move your service to [] fiber-optic facilities. Over the next few months, Verizon will be contacting you to schedule an appointment.” (emphasis added) Copy of letter attached as Exhibit A.

On October 27, 2016, Verizon mailed Joyce Rechtschaffen another letter, with “ACTION REQUIRED -NOTICE OF VERIZON NETWORK UPGRADE” in large letters across the top. Verizon’s letter stated in part: “We’re excited to let you know that we’re upgrading our facilities. . . . This move will . . . provide access to the same voice service you enjoy today. . . . It’s important that you contact us **by December 14, 2016** to schedule an appointment . . . to move your services. . . . Once our facilities are upgraded to fiber, we will no longer provide service over our older network in your area. This means that if you have not scheduled an appointment to transfer your services, your Verizon services will be suspended on or after **December 14, 2016**.” (emphasis added). Copy of letter attached as Exhibit B.

On the street where I live, in addition to Verizon's copper telephone line, there are lines operated by Verizon (fiber, FIOS), Comcast, and RCN. Also in the neighborhood, some appear to use a dish for TV reception.

APPLICABLE LAW

The applicable regulation is 47 CFR 51.332. This requires notices. The requirements for notices are spelled out in detail in Maryland People's Counsel Opposition Comments in Docket WC-16-351. It may be noted that in its purported notice to the FCC, Verizon cited 47 CFR 51.3325-335 and particularly 51.332. Exhibit 4 to Maryland People's Counsel Opposition Comments.

VERIZON FAILED TO PROVIDE NOTICE AS REQUIRED BY FCC's REGULATION

As demonstrated by Maryland's People's Counsel, Verizon failed to comply with FCC requirements on notices. Verizon's notices fail to meet both timing requirements and content requirements. Verizon's December 2016 (effective date) notice (Exhibit B) to me was premature. In addition, Verizon's notices are misleading. Maryland People's Counsel Opposition Comments pages 3 – 15.

VERIZON IS CREATING AN EMERGENCY WHERE THERE IS NONE

As explained by Maryland's People's Counsel, Verizon's fiber upgrade website incorrectly states that its copper migration is "required." Copper migration is not required, it is permitted by the FCC and other regulators, under certain conditions. See Maryland People's Counsel Opposition Comments Page. 6. This misstatement further contributes to an atmosphere of coercion and

emergency. Also, in its October 27, 2016 letter to me, Verizon says “your Verizon services will need to be moved to our newer, more reliable network.” Verizon’s October 27, 2016 Notice, which moved up the copper wire service termination date from September 15, 2017 to December 14, 2016 (or possibly, solely at Verizon’s election, thereafter) provides a window of less than two months’ time. It comes at the busiest season and most stressful time of the year – Thanksgiving, Christmas and Hanukkah. There is too much to do, including deciding whether to go with Verizon fiber, Verizon FIOS, Comcast or RCN. Verizon is in effect creating an unduly stressful environment that leads to a default decision for its fiber. Also, alarm system modifications need to be addressed. Backup power needs to be addressed. People have to find time to be home to let technicians in. The FCC needs to recognize the full court press that Verizon is running on and over its customers.

AS IMMEDIATE AND PRELIMINARY RELIEF, VERIZON’S PURPORTED NOTICE TO
ME MUST BE SUSPENDED

I request that the Federal Communications Commission, immediately suspend Verizon’s purported notice(s) terminating (retiring) copper wire telephone service to our residence, at least until it fully address the merits, if any, of what Verizon is attempting to do. I note a number of considerations.

Immediate suspension is warranted because it would preserve the *status quo*. Once Verizon removes the copper wire lines, they likely will contend that it is over - there is no turning back to reinstall copper. Without a stay, I will be irreparably injured.

At least in my case, Verizon cannot be heard to complain about any impacts if the December 2016 date is put on hold. After all, initially Verizon had a date of September 2017 for my copper

phone service. Verizon must plan properly and give required notices. Verizon must be prepared to live with a date it has announced to a consumer, and not substitute a date much closer to the present, especially at this time of year with Thanksgiving, Christmas and Hanukkah just around the corner. It cannot legitimately claim that it would be substantially harmed by a stay in these circumstances.

The Maryland People's Counsel has made a strong showing that it is likely to succeed on the merits.

The public interest is clearly on my side.

Respectfully submitted,

A handwritten signature in cursive script, reading "Joyce Rechtschaffen".

Joyce Rechtschaffen
4627 Hunt Ave
Chevy Chase, MD 20815
301 657-1752
lgjreg@hotmail.com

Dated November 5, 2016

CERTIFICATE OF SERVICE

I Hereby Certify That, On This 5th Day of November, 2016, The Foregoing "Emergency Petition/Request Of Joyce Rechtschaffen To Immediately Stay And Suspend Verizon's Notices Terminating (Retiring)The Copper Wire Telephone Service To Her Residence In The Bethesda, MD Area" as served, pursuant to 47 C.F.R. § 1.47, by email and/or U.S. postal service, postage prepaid, to the following:

Frederick E. Moacdieh
Executive Director
Federal Regulatory and Legal Affairs
1300 I Street NW, Suite 400 West
Washington, D.C., 20005
Frederick.moacdieh@verizon.com

Janet Gazlay Martin
Director
Network Transformation
Verizon
230 West 36th Street, Room 802
New York NY 10018

Suzan D. Paiva
Assistant General Counsel
Verizon
1717 Arch Street, 3 East
Philadelphia PA 19103
Suzan D.Pavia@verizon.com

David J. Collins, Executive Secretary
Maryland Public Service Commission
6 St. Paul Street, 16th Floor
Baltimore MD 21202

Joyce R. Lombardi
Assistant People's Counsel
Office of People's Counsel
6 St. Paul Street, Suite 2102
Baltimore, Maryland 21202
joyce.lombardi@maryland.gov


Joyce Rechtschaffen



NOTICE OF COPPER RETIREMENT

September 15, 2016

LTR0_RES*****AUTO**5-DIGIT 20825 T259 P1 PAL 7 00052461

Joyce Rechtschaffen

4627 Hunt Ave

Chevy Chase, MD 20815-5424



Dear Joyce Rechtschaffen:

Telephone Number: 301-657-1752

Currently, Verizon brings voice and/or data services to your home over copper cables. However, the company is upgrading to fiber-optic technology in your area, and will be retiring its copper facilities that currently serve you and your neighbors.

Our plan is to retire copper facilities in your area on or after September 15, 2017. To continue to provide you service, Verizon will have to move your service to these fiber-optic facilities.

Over the next few months, Verizon will be contacting you to schedule an appointment to have a Verizon technician come to your home and set up your services on fiber. You may also call us at 1.877.439.7442 to schedule an appointment.

We will transfer your voice services from copper to fiber at no cost to you. This transfer will not result in any change to the voice service that you currently receive from Verizon. You may continue to subscribe to the same voice service at the same price, terms, and conditions. In addition, any devices that rely on your voice service, such as fax machines, medical devices, or security alarms connected to a central station, will continue to work in the same way as they currently do over copper. We will also provide you with a battery backup device at no charge. For almost all residential customers, that device uses standard D-cell batteries that can support up to 20 hours of standby voice service during a commercial power outage. In case of a prolonged power outage, you can simply replace the batteries and extend the backup power.

If you subscribe to our High Speed Internet service, the migration to fiber will require a change since that service is not available on our fiber facilities. The Internet access service that we offer on fiber is Fios Internet. Fios Internet is available at significantly faster speeds than High Speed Internet. We will offer the service at a special rate for customers who migrate from copper to fiber facilities as a result of the retirement of our copper facilities. In some cases, this price may be lower or higher than what you currently pay for Internet access.

Please review the Frequently Asked Questions for additional information about the fiber upgrade or visit us at verizon.com/fiberupgrade. If you still have questions, please call us Monday through Friday, 8 a.m. - 8 p.m., or Saturday 9 a.m. - 5 p.m. at 1.877.439.7442.

You may also contact the Federal Communications Commission or your State Commission if you have any questions.

Thank you for continuing to be a loyal customer. We greatly appreciate your business.

Sincerely,

Janet Gazlay Martin
Director-Network Transformation
Verizon
230 W 36th St. Rm 802
NY, NY 10018

LTR0_RES

Frequently Asked Questions

1. **Why fiber optics?** Fiber-optic facilities provide bandwidth to meet today's digital demands and the possibilities of tomorrow. And the quality, performance, and reliability that fiber-optics delivers for voice and other services are far superior to copper.
2. **I don't want fiber optics. What are my alternatives?** After we retire copper facilities in your area, we will only provide service over fiber-optics. So in order to continue receiving Verizon services, you will have to migrate to our fiber facilities.
3. **How can I schedule an appointment?** Over the next couple of months, Verizon will contact you to schedule an appointment that is convenient for you. You may also call us at 1.877.439.7442 to schedule an appointment.
4. **Is the installation process complicated? What equipment is needed in order for me to upgrade to the fiber-optic facilities?** Our goal is to make this as easy as possible. We will provide and install all the required equipment, and use the existing wiring at your home to connect to your phones. We will also provide a backup battery for voice service (see Question #6). Our technician will answer any questions you have and ensure everything is working properly before he or she leaves.
5. **Will my service or rates change as a result of the fiber upgrade?** Your existing voice service will not change, aside from the added benefit of being delivered over our better quality fiber-optic facilities. High Speed Internet is not available on fiber, but you may choose to have Fios Internet instead. If you choose to purchase Fios Internet, you will be billed accordingly for the service you select.
6. **What is the backup battery?** We will provide you with a backup battery device at no charge that will power your voice service in the event of a power outage, allowing you to make and receive calls, including to 911, on your corded telephones. For almost all residential customers, we can provide a battery backup device that can provide standby service for up to 20 hours using standard D-cell batteries. In the event of a prolonged power outage, you can simply replace the D-cell batteries for additional backup power. (Cordless phones, alarm equipment, or other devices that require electricity to operate will not be powered by the backup battery device.)
7. **What if I change providers?** Providers using Verizon's copper facilities have been notified regarding the copper-to-fiber transition and will also be required to migrate to Verizon's fiber-optic facilities. You may transfer (or "port") your number to a new provider.

On behalf of:

Verizon Delaware LLC 901 Tatnall Street Wilmington, DE 19801	Verizon New Jersey Inc. 540 Broad Street Newark, NJ 07102	Verizon Virginia LLC 22001 Loudoun County Parkway Ashburn, VA 20147
Verizon Maryland LLC 1 East Pratt Street Baltimore, MD 21202	Verizon New York Inc. 140 West Street New York, NY 10007	
Verizon New England Inc. 125 High Street Oliver Tower 7th Floor Boston, MA 02110	Verizon Pennsylvania LLC 1717 Arch Street Philadelphia, PA 19103	

Federal Communications Commission

445 12th Street SW
Washington, DC 20554
Phone: (888) 225-5322
<https://consumercomplaints.fcc.gov/hc/en-us>

State Public Utility Commissions

Delaware Public Service Commission Cannon Building, Suite 100 861 Silver Lake Boulevard Dover, DE 19904 (302) 736-7500	New York State Department of Public Service 3 Empire State Plaza Albany, New York 12223-1350 (518) 474-6530
Maryland Public Service Commission William Donald Schaefer Tower 6 St. Paul St., 16th Floor Baltimore, MD 21202 (410) 767-8000	Pennsylvania Public Utility Commission PO Box 3265 Harrisburg, PA 17105-3265 (717) 772-7777
Massachusetts Department of Telecom & Cable 1000 Washington Street Suite 820 Boston, MA 02118-6500 (617) 305-3580	Rhode Island Public Utilities Commission 89 Jefferson Boulevard Warwick, RI 02888 (401) 941-4500
New Jersey Board of Public Utilities 44 S. Clinton Avenue Trenton, NJ 08625 (800) 624-0241	Virginia State Corporation Commission Public Utilities P.O. Box 1197 Richmond, Virginia 23218 (804) 371-9420

If you have questions about this notice, please reference the applicable Copper Retirement ID Number(s) for your state(s) in your inquiry:

Service Address State	Copper Retirement ID Number
DE	2016-03-A-DE
MA	2016-03-A-MA
MD	2016-03-A-MD
NJ	2016-03-A-NJ
NY	2016-03-A-NY
PA	2016-03-A-PA
RI	2016-03-A-RI
VA	2016-03-A-VA



ACTION REQUIRED - NOTICE OF VERIZON NETWORK UPGRADE

October 27, 2016

LTR1_RES*2341/2-12*****AUTO**5-DIGIT 20825

Joyce Rechtschaffen
4627 Hunt Ave
Chevy Chase, MD 20815-5424



Dear Joyce Rechtschaffen:

Telephone Number: 301-657-1752-977

We're excited to let you know that we're upgrading our facilities in your area and that your Verizon services will need to be moved to our newer, more reliable network. This move will be done at no cost to you and will provide access to the same voice service you enjoy today at the same price and terms. Our goal is to make this transition as easy as possible for you.

It's important that you contact us by December 14, 2016 to schedule an appointment to have one of our expert technicians come to your residence and move your services. Our technician will ensure that all of your services are moved correctly and will address any questions you have while onsite. Once our facilities are upgraded to fiber, we will no longer provide service over our older network in your area. This means that if you have not scheduled an appointment to transfer your services, your Verizon services will be suspended on or after December 14, 2016.

Getting started is simple -- just give us a call at **1.877.439.7442** as soon as possible, and we'll schedule an appointment for you. We are available Monday-Friday (8:00 am-8:00 pm) and Saturday (9:00-5:00 pm).

Please review the attached Frequently Asked Questions for additional information about this upgrade. If you still have questions, please call us at **1.877.439.7442** or visit our website, **www.verizon.com/fiberupgrade**.

If you have already placed an order to migrate or disconnect your service, thank you and please disregard this notice.

Thank you for continuing to be a loyal customer. We greatly appreciate your business.

Sincerely,

Janet Gazlay Martin
Director-Network Transformation
Verizon
230 W 36th St. Rm 802
NY, NY 10018

MEDICAL EMERGENCY NOTICE: If someone living in your home has an emergency illness, we will not turn off your telephone service for up to 30 days if you do two things: (1) have a medical doctor inform us in writing of the existence of the emergency, its nature and probable duration and that termination of the service will aggravate the medical emergency; and (2) make acceptable arrangements for Verizon to transition your service to a fiber-optic line. Please see the attached Frequently Asked Questions for more information.

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Frequently Asked Questions

- 1. What is the new network?** Verizon will be installing our advanced all-fiber optic facilities in your home.
- 2. Why fiber optics?** Verizon's new fiber optic network will enable us to provide you with higher quality services over a more reliable and resilient technology.
- 3. I don't want Fios. What are my alternatives?** This is not Fios voice service. It is your existing voice service, only provided over fiber instead of copper, at the same price, terms, and conditions. Any devices that rely on your current voice service, such as facsimile, security alarms connected to a central station, or medical monitoring equipment, will continue to work in the same way as they did over copper. For High Speed Internet customers, the product you currently have is not available on fiber, but Verizon can provide you with a Fios Internet product that is significantly faster at a special rate. In some cases, this price may be lower or higher than what you currently pay.
- 4. What happens if I do not schedule an appointment?** Your Verizon service will be suspended on or after December 14, 2016 if you do not allow Verizon reasonable access to your premises to install, maintain, or replace equipment and facilities that will enable us to move your service to our fiber-optic facilities. Once your service is suspended, you will only be able to call 9-1-1 and our customer service number, which is 1.800.VERIZON (1.800.837.4966). Approximately 14 days after being suspended, Verizon service at your address will be disconnected unless you allow us to move your service to our fiber-optic facilities.
- 5. What equipment is needed in order for me to upgrade to fiber?** We will extend our fiber optic facilities to your home, and our technician will install an Optical Network Terminal (ONT) for voice service at your home. The placement of this equipment will vary depending on the type of home you live in. We should be able to use the existing wiring in your home, and you will be able to use your existing telephones.
- 6. What is the installation process?** We will work with you to schedule a convenient installation date. On the day of installation, our technician will install the equipment and ensure that your voice service is working properly with your equipment. If you choose to subscribe to new services available on fiber optics, such as Fios Internet or Fios TV, the technician will provide professional installation of those services as well. The technician will address any questions at the time of installation.
- 7. What do I need to do?** You will need to schedule an installation appointment at a time when someone 18 years or older will be home. You will also need to provide access to a grounded electrical outlet, which is required to power the ONT.
- 8. Will I be charged for the fiber installation or the new equipment?** There is no charge for the fiber optic extension to your home, nor is there a charge for any necessary equipment to migrate your Verizon telephone service. If you are migrating from High Speed Internet, or if you purchase services such as Fios TV, you may be charged for the equipment for these services depending on which you select.
- 9. Will my service change as a result of this network upgrade?** If you upgrade your existing voice service, your services will not change, though you will benefit from the higher quality fiber optic network. You will also not see any changes to your bill for your existing voice service. High Speed Internet customers who upgrade will be offered our Fios product.
- 10. Will my rates change after I upgrade to fiber?** If you move your existing voice services and do not choose to subscribe to any Fios services, you will not see any changes to your bill for your existing voice service. For High Speed Internet customers, the service you currently have is not available on fiber optics, but we can provide you with a Fios internet product that is significantly faster for a special rate. In some cases, this price may be lower or higher than what you currently pay.
- 11. What is the battery backup?** The battery power unit is designed to provide you with backup power for your voice service in the event of a power outage. In such an event, without the backup power unit, telephones in your home will not function, you will not have voice service, and, if you have an alarm system, it may not be able to dial out to a central monitoring station. The backup power unit will allow you to make telephone calls on a corded telephone handset, but it will not power cordless telephones, alarm system equipment, or other devices or equipment that require power. To power those devices during a commercial power outage, you will need an alternative power source such as a generator or uninterrupted power supply.
- 12. What about 911?** There will be no changes to the 911 emergency service as a result of upgrading to the new fiber optic network. In the event of an extended power outage that fully depletes battery power in the backup power unit, please put in new batteries in order to place telephone calls, including 911 calls, from a corded telephone handset. Or you will need to use an alternative, such as a cell phone, to dial 911.
- 13. What other Verizon services are available on fiber optics?** In most cases, Verizon Fios Internet and Fios TV are also available on our fiber optic facilities.
- 14. What if there is a medical emergency in my home?** If you or anyone presently and normally living in your home is seriously ill, we will not cut off your telephone service for up to 30 days during such illness provided you: (a) have a physician certify by phone or in writing that such an illness exists and that the person will be endangered if your telephone service is stopped; and (b) contact us at 1.877.439.7442 to place an order by December 14, 2016 to transfer your voice service to fiber.